

PTO FAX NO.: 571-273-0025

ATTENTION: Office of Patent Petitions

Group Art Unit: 2873

Atty. Docket No. 281_329.02

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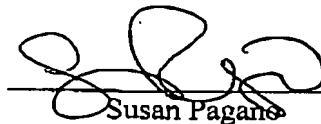
I hereby certify that the following document(s) in re: Application of **Ervin Goldfain**, Application No. 09/862,636 filed May 22, 2001 for **EYE VIEWING DEVICE COMPRISING EYEPIECE AND VIDEO CAPTURE OPTICS** is being facsimile transmitted to the U. S. Patent and Trademark Office on the date shown below.

Document(s) Attached

1. Petition To Withdraw From Issue After Payment of Issue Fee Under 37 CFR §1.313(c), 37 CFR §1.114 and 37 CFR §1.17(h) (2 pgs.)

Number of pages being transmitted, including this page: 3

Dated: June 19, 2007



Susan Pagano

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I hereby certify that this correspondence is sent via facsimile to the attention of the Office of Patent Petitions, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on January 19, 2007. Facsimile No. 971-273-0025.

Dated: June 19, 2007

Signature: 

(Susan Pagano)

Docket No.: 281-329-02

FAX RECEIVED
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE JUN 19 2007**

In re Patent Application of:
Ervin Goldfain

OFFICE OF PETITIONS

Application No.: 09/862,636

Confirmation No.: 1483

Filed: May 22, 2001

Art Unit: 2873

For: EYE VIEWING DEVICE COMPRISING
EYEPIECE AND VIDEO CAPTURE OPTICS

Examiner: B. N. Thomas

**PETITION TO WITHDRAW FROM ISSUE AFTER PAYMENT OF ISSUE FEE
UNDER 37 CFR §1.313(C), 37 CFR §1.114 AND 37 CFR §1.17(H)**

Attention: Office of Patent Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTRODUCTORY COMMENTS

Prior to issuance of the patent, applicant respectfully requests entry on this amendment under 37 C.F.R. 1.312 for the above-captioned patent application.

Remarks/Arguments begin on page 2 of this paper.

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Application No. 09/862,636
Petition Dated June 18, 2007

Docket No.: 281_329.02

REMARKS

The present petition is being filed to withdraw the above application from issue after payment of the issue fee to allow consideration of an Information Disclosure Statement ("IDS") in compliance with 37 CFR §1.114. An IDS is being filed concurrently herewith. Under 37 CFR §1.313(c) a petition to withdraw an application from issue after payment of an issue fee should be granted under 37 CFR §1.313(c) to allow consideration of an IDS under 37 CFR §1.114.

An issue fee in the present application was paid on April 24, 2007. When the present application is allowed again, the new Notice of Allowance will reflect an issue fee amount that is the difference between the current issue fee amount and the issue fee amount previously paid. *MPEP §706.07(h)(IX)*.

If the Patent Petition Office believes that contact with applicants' attorney would be advantageous toward the disposition of this case, the Office is herein requested to call applicants' representative at the phone number listed below.

The Commissioner is hereby authorized to charge any fees associated with this communication to deposit Account No. 50-0289.

Dated: June 19, 2007

Respectfully submitted,

By George S. Blasiak
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GSB/slp